United Nations A/72/321

General Assembly

Distr.: General
11 August 2017
English
Original: Arabic/English/French/
Spanish

Seventy-second session
Items 100 (b), (k) and (o) of the provisional agenda*
General and complete disarmament

Nuclear disarmament; follow-up to the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons; reducing nuclear danger

Report of the Secretary-General

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I. Introduction

1. The present report is submitted pursuant to requests contained in General Assembly resolutions 71/58, 71/63 and 71/37.

2. In paragraph 3 of resolution 71/58, the General Assembly requested all States to inform the Secretary-General of the efforts and measures they had taken with respect to the implementation of the resolution and nuclear disarmament and requested the Secretary-General to apprise the General Assembly of that information at its seventy-second session.

3. In paragraph 22 of resolution 71/63, the General Assembly requested the Secretary-General to submit to the General Assembly at its seventy-second session a report on the implementation of the resolution.

4. In paragraph 5 of resolution 71/37, the General Assembly requested the Secretary-General to intensify efforts and support initiatives that would contribute to the full implementation of the seven recommendations identified in the report of the Advisory Board on Disarmament Matters that would significantly reduce the risk of nuclear war (A/56/400, para. 3), and also to continue to encourage Member States to consider the convening of an international conference, as proposed in the United Nations Millennium Declaration (resolution 55/2), to identify ways of eliminating nuclear dangers, and to report thereon to the General Assembly at its seventy-second session.

5. By notes verbales dated 17 February and 12 June 2017, Member States were invited to communicate their views on the issue. Replies received from Member States are included in section III below; replies received after 31 July 2017 will be posted on the website of the Office for Disarmament Affairs,[1] in the language of submission only.

II. Observations

6. Since the previous report (A/71/126), States have undertaken various efforts to facilitate the implementation of nuclear disarmament and non-proliferation agreements.

(a) An informal meeting of the General Assembly to mark the observance of the International Day against Nuclear Tests was held on 31 August 2016 at United Nations Headquarters. Opening statements were made by the President of the seventieth session of the General Assembly, Mogens Lykketoft (Denmark), as well as by the High Representative for Disarmament Affairs, on behalf of the Secretary-General, as well as the Permanent Representative of Kazakhstan to the United Nations. Following the opening ceremony, a high-level interactive panel on the theme "Strengthening the global norm against nuclear tests" reflected on progress made to end nuclear testing, current and emerging challenges, and opportunities to strengthen the global norm against testing;

(b) Pursuant to the declaration by the General Assembly of 26 September as the International Day for the Total Elimination of Nuclear Weapons (resolution 68/32), the meeting to commemorate that day was held on 26 September 2016. It was chaired by the President of the seventieth session of the General Assembly, Peter Thomson (Fiji). The Secretary-General marked the occasion with a message in which he urged the international community to work for the total elimination of nuclear weapons with urgency and a sense of collective purpose. As was the case in

[1] http://www.un.org/disarmament/.

2015, civil society also made an important contribution to the commemoration and promotion of the International Day. Statements were delivered by representatives of the International Campaign to Abolish Nuclear Weapons and Ban All Nukes generation;

(c) The 2017 session of the Disarmament Commission, the third session of its three-year cycle, was held from 3 to 21 April 2017 in New York, chaired by Gabriela Martinic (Argentina). At the session, procedural reports of the Commission and its subsidiary bodies were adopted. The report of the Commission for 2017 (A/72/42) reflects that during its 12 meetings, Working Group I on agenda item 4, "Recommendations for achieving the objective of nuclear disarmament and non-proliferation of nuclear weapons", held extensive discussions. The Chair, Wilmer Mendez (Bolivarian Republic of Venezuela), introduced multiple non-papers addressing objectives, principles and recommendations for achieving the objective of nuclear disarmament and the non-proliferation of nuclear weapons, on which views were exchanged and various proposals made. However, because of divergent viewpoints among them, Member States were unable to reach consensus on substantive recommendations on this agenda item;

(d) Despite the ongoing stalemate in the Conference on Disarmament and its inability to adopt a programme of work, States continued to make efforts to return the Conference to work. At the initiative of the first President of the 2017 session, Adrian Vierita (Romania), the Conference established a working group on the "way ahead" to identify common ground for a programme of work with a negotiating mandate (CD/2090). The working group is mandated to take stock of progress on all agenda items of the Conference. Taking into account the efforts and priorities of the international community, the working group will identify issues for substantive work, find common ground for a programme of work with a negotiating mandate and consider steps for the way ahead. The working group held focused meetings on all agenda items of the Conference, including the four core issue agenda items: nuclear disarmament, a fissile material treaty, prevention of an arms race in outer space and negative security assurances. The Chair, Htin Lynn (Myanmar), will submit the final report of the working group to the President as early as possible for consideration and adoption by the Conference;

(e) The two nuclear-weapon States with the largest arsenals took steps to implement the reductions agreed to in the New Strategic Arms Reduction Treaty. The Treaty's central limits on strategic arms are to be met by 6 February 2018. As at 1 March 2017, according to the data provided by the parties on their aggregate holdings of strategic offensive arms, the Russian Federation possessed 523 deployed intercontinental ballistic missiles, submarine-launched ballistic missiles and heavy bombers and 1,765 warheads on those systems, and the United States of America possessed 673 deployed intercontinental ballistic missiles, submarine-launched ballistic missiles and heavy bombers and 1,411 warheads on those systems.

7. In addition to the efforts discussed above, other multilateral initiatives have been pursued that could contribute to the achievement of a world without nuclear weapons:

(a) On 13 and 14 June 2016, more than 120 delegations met in Vienna to discuss, review and reinvigorate discussions on the entry into force of the Comprehensive Nuclear-Test-Ban Treaty. Marking the twentieth anniversary year of the Treaty, ministers and other high-level participants renewed their commitment to a legally binding global ban on nuclear testing. To coincide with the ministerial meeting, a commemorative publication was launched, providing a historical overview of the history of the Treaty, the Comprehensive Nuclear-Test-Ban Treaty Organization and nuclear testing and non-proliferation in general;

(b) On 21 September 2016, foreign ministers and other high-level representatives adopted a joint ministerial statement at the eighth joint ministerial meeting on the Comprehensive Nuclear-Test-Ban Treaty, held in New York. The ministers reaffirmed that role of the Treaty as a core element of the international nuclear disarmament and non-proliferation regime and its entry into force as a major contribution to international peace and security, and urged all States that had not done so to sign and ratify the Treaty, in particular the remaining eight annex 2 States;

(c) Pursuant to General Assembly resolution 65/66, the second and third substantive sessions of an open-ended working group to consider the objectives and agenda, including the possible establishment of a preparatory committee, for a fourth special session of the General Assembly devoted to disarmament was convened from 11 to 15 July 2016 and from 5 to 9 June 2017, under the chairmanship of Fernando Luque Márquez (Ecuador). Delegations discussed a range of substantive issues related to the possible objectives and agenda of a fourth special session, resulting in the introduction by the Chair of a working paper entitled "Objectives and agenda of the fourth special session of the General Assembly devoted to disarmament". At the 28th meeting, on 9 June, the Rapporteur, Ali Robatjazi (Islamic Republic of Iran), introduced the draft report of the Working Group (A/AC.268/2017/CRP.3), which contained eight recommendations and a draft agenda but deferred the issue of the establishment of a preparatory committee to the General Assembly. The working group adopted, by consensus, the report and the recommendations contained therein regarding the objectives and agenda of the fourth special session of the General Assembly devoted to disarmament, which will be submitted to the General Assembly at its seventy-second session;

(d) The first session of the Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons was held from 2 to 12 May 2017 in Vienna; Henk Cor van der Kwast (Netherlands) was elected to chair the meeting. States maintained a reserved tone during discussions, allowing the session to be held in a relatively positive atmosphere. The session was ultimately unable to agree to attach the Chair's factual summary to its report. Following past practice, the Chair announced that he would submit his summary as a working paper under his own responsibility. On key disarmament matters, States parties underlined the continued validity of the 64-point action plan agreed to at the 2010 Review Conference, despite disagreement over the pace of implementation of disarmament-related commitments. With respect to other regional issues, many delegations condemned the nuclear programme of the Democratic People's Republic of Korea, while the Joint Comprehensive Plan of Action between the Islamic Republic of Iran and E3/EU+3 (China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America) was broadly welcomed, and several delegations stressed the importance of its full implementation by all parties;[2]

(e) On 7 July 2017, the United Nations conference established pursuant to General Assembly resolution 71/258 adopted by vote the Treaty on the Prohibition of Nuclear Weapons, with 122 States in favour, 1 against (Netherlands) and 1 abstention (Singapore). The Treaty includes undertakings for States parties not to develop, test, produce, acquire, posses, stockpile, use or threaten to use nuclear weapons. The Treaty also prohibits the deployment of nuclear weapons on national territory and the provision of assistance to any State in the conduct of prohibited activities. States parties to the Treaty will be obliged to prevent and suppress any activity prohibited to States parties undertaken by persons or on territory under their jurisdiction or control. They will also be obliged to provide adequate assistance to

[2] www.un.org/disarmament/wmd/nuclear/npt2020/prepcom2017/.

individuals affected by the use or testing of nuclear weapons, as well as to take necessary and appropriate measures for environmental remediation in areas under their jurisdiction or control contaminated as a result of activities related to the testing or use of nuclear weapons. The Treaty requires States parties to maintain their existing safeguards obligations regarding their peaceful nuclear activities or to accept safeguards if they have not already done so. It requires the minimum safeguard standard for non-nuclear-weapon States as required under the Treaty on the Non-Proliferation of Nuclear Weapons, which permits the International Atomic Energy Agency sufficient access to be able to verify the diversion of declared nuclear materials. The Treaty will open for signature on 26 September 2017 in New York and will enter into force 90 days following the deposit of the fiftieth instrument of ratification;[3]

(f) In General Assembly resolution 71/259, the Secretary-General was requested to establish a high-level fissile material cut-off treaty expert preparatory group, to convene in 2017 and 2018, with a mandate to consider and make recommendations on substantial elements of a future non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, on the basis of document CD/1299 and the mandate contained therein. The preparatory group will also examine, with a view to making recommendations, the report of the group of governmental experts established by the General Assembly in its resolution 67/53 (A/70/81), as well as the views submitted by Member States on the issue as contained in documents A/68/154 and Add.1 and A/71/144 and Rev.1 and Rev.1/Add.1. The first of two informal open-ended consultative meetings convened in New York by the Chair of the preparatory group was held in New York on 2 and 3 March 2017; the consultative meetings are intended to allow all Member States to engage in interactive discussions and share their views. At the time of preparation of the present report, the first session of the preparatory group was under way in Geneva; the second session will be held in Geneva in 2018.

8. Despite some progress in implementing nuclear disarmament and non-proliferation agreements and pursuing new initiatives to support those goals, setbacks and growing impatience with the slow pace of progress have persisted. In particular:

(a) Progress towards the implementation of the 1995 resolution on a zone free of nuclear and all other weapons of mass destruction in the Middle East has been challenging. The States of the region have actively sought new initiatives and proposals to renew progress towards the establishment of the zone, including the establishment in 2016 by the League of Arab States of a Committee of Wise Men on Disarmament and Non-Proliferation;

(b) The first session of the Preparatory Committee for the 2020 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons was the first opportunity since the 2015 Review Conference for States parties to consider how to move forward with the implementation of the above-mentioned resolution. Most States parties continued to support the concept of convening a conference on the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East; however, it is clear that despite many efforts States of the region have not come closer together on a mutually agreeable path leading towards the establishment of such a zone;

(c) The Conference on Disarmament has not made substantial progress owing to its ongoing protracted stalemate;

[3] For the text of the Treaty, see treaties.un.org/doc/Treaties/2017/07/20170707%2003-42%20PM/Ch_XXVI_9.pdf.

(d) While efforts towards reducing existing stockpiles are acknowledged, the estimated total number of nuclear weapons, deployed and non-deployed, still amounts to several thousand. Moreover, States continue to rely on nuclear weapons in defence and security policies and undertake programmes to modernize their weapons, delivery systems and related infrastructure;

(e) On 9 September 2016, the Democratic People's Republic of Korea conducted its fifth nuclear test despite the strong and unequivocal call from the international community to refrain from any further provocative measures and contrary to the relevant decisions of the Security Council. Since 8 July 2016, that country also conducted 26 ballistic missile tests contrary to the relevant decisions of the Security Council, including two tests with reported intercontinental range. These destabilising acts continue to pose a danger to regional and international peace and security.

9. The Secretary-General and the High Representative for Disarmament Affairs will continue their efforts to promote nuclear disarmament and non-proliferation.

III. Information received from Governments

Argentina

[Original: Spanish]
13 July 2017

Argentina will spare no effort to work constructively and promote the broadest possible consensus in order to achieve the ultimate goal of a world free of nuclear weapons. This is a priority goal of the country's foreign policy, based on its historic position in support of general and complete disarmament, in accordance with article VI of the Treaty on the Non-Proliferation of Nuclear Weapons. Argentina will continue to participate in all discussions, forums or negotiations dealing with this objective, with a view to eliminating nuclear weapons throughout the world in an irrevocable, transparent and verifiable manner, in the conviction that the Treaty is the cornerstone of the international legal framework for non-proliferation and nuclear disarmament.

Argentina expresses its concern at the lack of concrete progress in recent years in nuclear disarmament. Argentina believes that the nuclear Powers must take the lead and fulfil their commitments under the Treaty, in particular its article VI. Argentina considers that the international community should work together to bring about fruitful dialogue and negotiations among the nuclear-weapon and non-nuclear-weapon States that are party to the Treaty. The Treaty's review cycle is a conducive setting for the promotion of joint work and an opportunity to overcome the divisions in the international community.

The Government of Argentina believes that the general and complete elimination of nuclear weapons is the best guarantee against the use or the threat of use of such weapons, thereby averting the irreparable humanitarian consequences that they entail.

It is important to note that work has already begun to achieve a world free of nuclear weapons through their prohibition and total elimination. That objective is contained in article VI of the Treaty, under which parties are bound to seek the goal of general and complete disarmament, as well as to explore the possibility of prohibiting such weapons in the future. In this regard, we should not undermine the past and present effectiveness and obligatory nature of article VI of the Treaty concerning the achievement of this goal.

On the other hand, the Argentine Republic believes that we must move forward in the elimination of nuclear weapons in an effectively verifiable manner, reaffirming the Treaty regime, without jeopardizing the gains already made in non-proliferation.

As regards verification, Argentina welcomes General Assembly resolution 71/67 and the establishment of a group of governmental experts to consider the role of nuclear disarmament verification within the framework of the Organization, because these issues should be addressed first and foremost within the United Nations machinery so that the appropriate bodies can contribute to nuclear disarmament negotiations.

In May 2016, Argentina joined the International Partnership for Nuclear Disarmament Verification, which is a body specifically dedicated to progress in nuclear disarmament. The progress made through this informal mechanism can contribute to future work undertaken within the framework of the United Nations and we hope that the aforementioned group of governmental experts will be able to take into account the documents and conclusions emanating from the Partnership.

Argentina also participated constructively in the United Nations conference to negotiate a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination. At the meeting at which the text was adopted, the representative of Argentina spoke in explanation of its vote.

Brunei Darussalam

[Original: English]
29 June 2017

As a proponent of regional and global non-proliferation and the disarmament of weapons classified as weapons of mass destruction, Brunei Darussalam remains firmly committed to relevant commitments. This includes abiding by, and encouraging consensus during the drafting of, resolutions and agreements on nuclear disarmament.

On the overarching opinion of the International Court of Justice on the legality of nuclear weapons, be it threat or actual use, Brunei Darussalam seeks to pursue a constructive role in promoting transparency, information-sharing and trust-building among States and maintains diplomatic and friendly relations with other States in order to promote an overall vision of regional and international peace, security and stability.

Colombia

[Original: Spanish]
28 April 2017

Colombia shares the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control. In this regard, it participates in the major multilateral forums where this topic is addressed, namely the Conference on Disarmament, the Disarmament Commission and the conference to negotiate an instrument to prohibit nuclear weapons, leading towards their total elimination.

Colombia has called upon the nuclear-weapon States to make progress towards the commitment of nuclear disarmament, reiterating the importance of the proper implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons.

As a State party to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, which established the first densely populated nuclear-weapon-free zone, Colombia has advocated the creation of nuclear-weapon-free zones, under agreements freely reached, as a contribution to international disarmament.

As an annex 2 State, Colombia has called not only on other States listed in the annex, but on all States, to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty, to achieve its early entry into force and its universalization.

Cuba

[Original: Spanish]
30 May 2017

The use or threat of use of nuclear weapons is a violation of the Charter of the United Nations, a violation of international law, including international humanitarian law, a crime against humanity and a war crime. Prohibition and total elimination is the only absolute guarantee against the use or threat of use of nuclear weapons, because as long as they exist, there is a danger that they might be used.

We oppose the enhancement of existing nuclear weapons and the development of new types of nuclear weapons, which is inconsistent with the obligation to adopt effective measures towards nuclear disarmament. Pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons, nuclear-weapon States have a legal obligation not only to pursue, but also to bring to a conclusion, negotiations leading to nuclear disarmament under a strict and effective international verification system.

July 2017 will mark 21 years since the International Court of Justice declared the use of nuclear weapons illegal in its advisory opinion on the legality of the use or threat of use of nuclear weapons. However, very little progress has been made towards the total elimination of nuclear weapons and nuclear deterrence remains an essential part of the military defence and security doctrines of some States. Of even greater concern is the fact that the use of nuclear weapons against States that do not possess them, in response to attacks using non-nuclear weapons, has even been considered.

Cuba reiterates the importance of the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control. In this regard, we support the negotiations on a treaty banning nuclear weapons convened by the General Assembly. The adoption of such a treaty would establish an international norm prohibiting the use of nuclear weapons, without exception or admission of mitigating circumstances.

The adoption of a treaty on prohibition would be a step forward, but insufficient. The process must lead to the adoption of a comprehensive convention that establishes the elimination of nuclear weapons within a specific time frame and under strict international verification. That would be the only way to ensure full, effective, irreversible, transparent and non-discriminatory nuclear disarmament.

Ecuador

[Original: Spanish]
31 July 2017

The foreign policy of Ecuador relating to nuclear weapons has always been guided by its Constitution, which condemns the development and use of weapons of mass destruction, including nuclear weapons, as a threat to the survival of humankind.

In line with these principles, Ecuador has ratified all the international instruments related to nuclear weapons, including the Treaty on the Non-Proliferation of Nuclear Weapons, the Comprehensive Nuclear-Test-Ban Treaty and the additional protocols on safeguards and cooperation with the International Atomic Energy Agency. It also participated actively in the negotiation and adoption, on 7 July 2017, of the Treaty on the Prohibition of Nuclear Weapons.

Article 1 of the Treaty on the Prohibition of Nuclear Weapons expressly prohibits the use or threat of use of nuclear weapons. Thus it is manifestly clear, as the International Court of Justice stated, that if the use of a weapon is illegal, which is clearly the case of nuclear weapons because their catastrophic consequences are contrary to the principles of international humanitarian law and international human rights law, the threat of their use is also illegal. Consequently, all States should remove from their military doctrines any reference to nuclear deterrence and should refrain from engaging in military preparations that entail the possibility, and therefore the threat, of the use of nuclear weapons, whether their own or in the context of broad partnerships.

The Community of Latin American and Caribbean States, of which Ecuador is a proud member, has reiterated at its summits of Heads of State and Government, most recently in January 2017 in Punta Cana, Dominican Republic, that the use and threat of use of nuclear weapons constitutes a crime against humanity and a violation of international law, including international humanitarian law, as well as the Charter of the United Nations (special declaration on nuclear disarmament, para. 2).

Following the ban on nuclear weapons, through a legally binding international instrument, the only effective guarantee against their use or threat of use is their total elimination, in a transparent, verifiable and irreversible manner, within a defined time frame.

Honduras

[Original: Spanish]
24 May 2017

Honduras is a signatory to the international conventions and treaties against the proliferation of nuclear weapons or tests. It does not participate, nor has it participated, in activities to promote or test nuclear weapons, and consequently it has taken no measures in relation to General Assembly resolution 71/58.

Article 15 of the Constitution of the Republic establishes that Honduras endorses the principles and practices of international law that promote human solidarity, respect for the self-determination of peoples, non-intervention and the consolidation of universal peace and democracy. Honduras proclaims as absolute the validity and mandatory enforcement of international arbitral and judicial rulings.

Article 16 of the Constitution states that all international treaties must be approved by the National Congress before ratification by the executive branch. International treaties concluded between Honduras and other States form part of domestic law once they have entered into force.

In the light of the above, as a State party to the international treaties and conventions ratified by those States, Honduras must faithfully comply with them. Honduras does not participate, nor has it participated, in activities to promote or test nuclear weapons related to the aforementioned resolution, because it does not have such weapons.

India

[Original: English]
11 May 2017

India joined as co-sponsor of General Assembly resolution 71/58.

India's consistent support and co-sponsorship of the International Court of Justice resolution at the General Assembly is an expression of its commitment, as underlined by the 1996 Advisory Opinion of the Court, to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control. India's support for the existence of an obligation to pursue in good faith and to conclude nuclear disarmament negotiations is not based on the provisions of any particular legal instrument but is a logical extension of India's consistent political support for nuclear disarmament.

India is convinced that the goal of nuclear disarmament can be achieved by a step-by-step process underwritten by a universal commitment and an agreed multilateral framework that is global and non-discriminatory. There is need for a meaningful dialogue among all States possessing nuclear weapons to build trust and confidence and for reducing the salience of nuclear weapons in international affairs and security doctrines.

The working paper by India on nuclear disarmament (CD/1816) enumerated specific steps, including reaffirmation of the unequivocal commitment of all nuclear-weapon States to the goal of complete elimination of nuclear weapons; reduction of the salience of nuclear weapons in the security doctrines; measures by nuclear-weapon States to reduce nuclear danger; negotiation of a global agreement among nuclear weapon States on "no-first-use" of nuclear-weapons; negotiation of a universal and legally binding agreement on non-use of nuclear weapons against non-nuclear-weapon States; negotiation of a convention on the complete prohibition of the use or threat of use of nuclear weapons; and negotiation of a nuclear weapons convention prohibiting the development, production, stockpiling and use of nuclear weapons and providing for their destruction, leading to the global, non-discriminatory and verifiable elimination of nuclear weapons within a specified time frame.

India considers the Conference on Disarmament as the appropriate forum for the commencement of negotiations on nuclear disarmament through the establishment of a subsidiary body with a mandate agreed by consensus as part of a comprehensive and balanced programme of work. India has consistently supported the negotiation in the Conference on Disarmament of a comprehensive nuclear weapons convention to prohibit their possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use and has also separately reiterated its readiness to negotiate a convention on the prohibition of the use of nuclear weapons.

Islamic Republic of Iran

[Original: English]
31 July 2017

The death and destruction caused by the horrible nuclear attacks on Hiroshima and Nagasaki in 1945 proved that nuclear weapons, as the most horrendous weapons, are unique in their destructive power, in the unspeakable human suffering they cause, in the impossibility of controlling their effects in time and space, and in the threat they pose to the environment, to future generations and indeed to the survival of humanity; thus, the only absolute guarantee against the use or threat of

use of nuclear weapons is their total elimination and assuring that they will never be produced again.

Since then, nuclear disarmament has always been the highest global priority. The recent intensified international efforts, represented, in part, in the first ever high-level meeting of the General Assembly on nuclear disarmament, held on 26 September 2013, and the three conferences on the humanitarian impact of nuclear weapons, held in 2013 and 2014, suggest that this 70-year-old global demand continues to be pursued with determination and strong resolve.

In this context, Iran underlines the importance of the United Nations conference to negotiate a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination (New York, 27-31 March and 15 June-7 July 2017), which resulted in the adoption of the Treaty on the Prohibition of Nuclear Weapons. Iran stresses the need to preserve the momentum on nuclear disarmament created by such events, and in this connection highlights the significance of the United Nations high-level international conference on nuclear disarmament to be convened in 2018 to review the progress made in this regard.

Likewise, since the entry into force of the Treaty on the Non-Proliferation of Nuclear Weapons in 1970, nuclear disarmament is also a 45-year-old explicit legal obligation, for the realization of which certain decisions have been made and agreements reached within the context of the Review Conferences of the Parties to the Treaty. The adoption of the 13 practical steps for the systematic and progressive efforts to implement article VI of the Treaty by the 2000 Review Conference and the adoption of a 22-point action plan on nuclear disarmament by the 2010 Review Conference are among such decisions.

Even though the incomplete, selective and discriminatory implementation of the provisions of this Treaty is considered a challenge that needs to be effectively addressed, its main implementation challenge is the lack of real progress in the fulfilment, by all the nuclear-weapon States, of nuclear disarmament obligations under article VI of the Treaty. At the same time, failure of the Treaty in gaining the universal characteristic also remains a serious challenge to its effectiveness that needs to be addressed.

Pending the total elimination of nuclear weapons, there is also a dire need to provide all non-nuclear-weapon States with effective, universal, unconditional, non-discriminatory and irrevocable legally binding security assurances against the use or threat of use of nuclear weapons under all circumstances, especially taking into account the fact that the current frameworks to provide such assurances are very limited, conditional, insufficient, and above all can justify the use of such weapons by resorting to such concepts as "defending the vital interests" of a nuclear-weapon State or its "allies and partners".

There is no doubt that the advisory opinion of 8 July 1996 of the International Court of Justice on the legality of the threat or use of nuclear weapons is of the outmost importance in highlighting the legal obligation of nuclear-weapon States regarding nuclear disarmament under article VI of the Treaty. The negotiating history and the text and context of the Treaty, as well as the content of the outcome documents of its Review Conferences, as subsequent practice, confirm that the most important incentive of the States negotiating the Treaty was to achieve the objective of a nuclear-weapon-free world. They also confirm that the fulfilment of this obligation is neither conditional nor optional. The text of the Treaty is clear in this regard when the parties thereto declare, in its preamble, "their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament" and urge "the cooperation of all States in the attainment of this objective". Moreover, through its

article VI, each of the Parties to the Treaty undertakes "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament".

Indeed, the non-nuclear-weapon States parties to the Treaty have ratified it based on this essential assumption that the implementation of the Treaty would and should lead to a nuclear-weapon-free world. They definitely did not intend to become party to a Treaty that divides States into the nuclear-weapon-haves and the nuclear-weapon-have-nots and legitimizes the indefinite possession of such inhumane weapons by certain powers. The Islamic Republic of Iran strongly believes that the purpose of the Treaty is not only to prevent the non-nuclear-weapon States from acquiring nuclear weapons, it also concerns an inherently linked objective to this goal, which is to disarm nuclear-weapon States. The Treaty is about the elimination of all nuclear weapons, which is the only absolute guarantee against their scourge. The main purpose of the Treaty is that no one should have nuclear weapons. Accordingly, Iran continues to strongly reject any assumption that the indefinite extension of the Treaty implies the indefinite possession by the nuclear-weapon States of their nuclear arsenals or they are legitimately held weapons. Any such assumption is incompatible with the object and purpose of the Treaty.

In the view of the Islamic Republic of Iran, the main challenge of nuclear disarmament is the lack of genuine political will by the nuclear-weapon States to fulfil their legal obligations under article VI of the Treaty and implement their unequivocal undertaking to accomplish the total elimination of their nuclear arsenals. The persistence of this situation will definitely add to the already existing frustration of the non-nuclear-weapon States, gradually erode the validity and credibility of the Treaty, lessen its effectiveness and negatively impact international peace and security, which certainly is not in the common interest of present and future generations.

Accordingly, the Islamic Republic of Iran asserts that taking all necessary practical measures for the total elimination of all nuclear weapons worldwide, including to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control, as unanimously concluded by the International Court of Justice in its advisory opinion, is a legal obligation to which all States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons are committed under its article VI.

While expressing deep disappointment over the lack of tangible progress so far in the implementation of the obligations under article VI of this Treaty and the unequivocal commitments under the 13 practical steps for the systematic and progressive efforts to implement article VI of the Treaty and the 2010 action plan on nuclear disarmament, Iran highlights the importance of the strong support, expressed at the first ever high-level meeting of the General Assembly on nuclear disarmament, held on 26 September 2013, "for taking urgent and effective measures to achieve the total elimination of nuclear weapons", and the call for "urgent compliance with the legal obligations and the fulfilment of the commitments undertaken on nuclear disarmament" (resolution 68/32, paras. 1 and 2).

Indeed, the lack of practical progress on the fulfilment of such obligations and unequivocal commitments cannot continue indefinitely, and therefore their implementation should be time-bound. To that end, recalling the conclusion of the Treaty on the Prohibition of Nuclear Weapons on 7 July 2017, Iran believes that all States should urgently commence negotiations in the Conference on Disarmament for the early conclusion of a comprehensive convention on nuclear weapons to prohibit their possession, development, production, acquisition, testing, stockpiling,

transfer, use or threat of use and to provide for their destruction, as called for by the General Assembly in its resolutions 68/32, 69/58, 70/34 and 71/71. In this context, Iran is of the view that the United Nations high-level international conference on nuclear disarmament to be convened in 2018 pursuant to General Assembly resolution 68/32, provides the international community of States with a valuable opportunity to review the progress made in nuclear disarmament. This conference can be utilized to advance the objective of a nuclear-weapon-free world, including by making concrete decisions such as identifying a deadline for the total elimination of nuclear weapons worldwide.

While expressing deep disappointment at the act of the two nuclear-weapon-State depositories of the Treaty on the Non-Proliferation of Nuclear Weapons, namely the United States and the United Kingdom, along with Canada, in blocking the adoption of a substantive outcome document for the 2015 Review Conference of the Parties to this Treaty, in particular at the fact that this act disregarded the views of almost all parties to the Treaty only to appease the Israeli regime that is the sole non-party to this Treaty in the Middle East, the Islamic Republic of Iran highlights the importance of the three-phased plan of action for the total elimination of nuclear weapons, which was put forward by the Group of Non-Aligned States Parties to the Treaty during its 2015 Review Conference and consists of concrete steps, in particular the negotiation and adoption of a comprehensive convention on nuclear weapons that includes a phased programme and a specified time frame for the complete elimination of nuclear weapons.

In its advisory opinion of 8 July 1996 on the legality of the threat or use of nuclear weapons, the International Court of Justice decided that "there is in neither customary nor conventional international law any specific authorization of the threat or use of nuclear weapons" (para. 105(2)A) and that "the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law" (para. 105(2)E). Therefore, any use or threat of use of any type of nuclear weapon, under any circumstances, would be contrary to Article 2 (4) of the Charter of the United Nations, the general principles of international law and the rules and regulations of international humanitarian law, and would constitute a crime against humanity. Iran asserts that even resorting to Article 51 of the Charter of the United Nations cannot, in any way and under any condition, justify the use or threat of use of these inhumane weapons.

Moreover, any use or threat of use of nuclear weapons would seriously undermine the very foundations, integrity, credibility and thus sustainability of the Treaty on the Non-Proliferation of Nuclear Weapons and would be contrary to its object and purpose. Accordingly, all the nuclear-weapon States should seriously refrain, under any and all circumstances and without any discrimination or exception, from the use or threat of use of nuclear weapons against any non-nuclear-weapon State party to the Treaty.

Jordan

[Original: Arabic]
28 April 2017

Jordan is a State free of nuclear weapons. It does not own such weapons or handle them directly or indirectly. It has no intention of possessing them or developing any programme related to them.

Jordan openly and transparently supports all international and regional efforts to prohibit nuclear weapons and create a nuclear-weapon-free world. In particular, the following points are worth noting:

(a) Jordan has acceded to the Treaty on the Non-Proliferation of Nuclear Weapons;

(b) It has acceded to the Comprehensive Nuclear-Test-Ban Treaty;

(c) Article 4, paragraph 7(b) of the Jordanian-Israeli Peace Treaty provides for the creation in the Middle East of a zone free of weapons of mass destruction;

(d) Jordan has worked in the context of the League of Arab States to prepare a draft treaty on creating a Middle East free of weapons of mass destruction, particularly nuclear weapons.

The use of weapons of mass destruction would unleash huge levels of heat and energy, not to mention powerful and long-lasting radiation levels, with tragic repercussions. It would also undermine confidence and endanger international security and stability.

Jordan believes that the threat or use of nuclear weapons would contravene the international humanitarian law of armed conflict and the obligation to refrain from causing unnecessary suffering.

Madagascar

[Original: French]
10 July 2017

The United Nations has reminded Member States that:

- A legally binding instrument should be developed on the prohibition of the development, production, testing, deployment, stockpiling, threat or use of nuclear weapons and their destruction under effective international control.
- To complete the process, negotiations leading to nuclear disarmament in all its aspects should be pursued under strict and effective international control.

Given that Madagascar has no nuclear material holdings or military nuclear programme, participation in the various international negotiations, under the auspices of the United Nations, is essential. Accordingly, the adoption of treaties has become inevitable.

Mexico

[Original: Spanish]
30 May 2017

The establishment of the United Nations coincided with the start of the nuclear age. As a result, this issue has been on the agenda of the Organization since its inception.

In this connection, Mexico has maintained a firm position aimed at achieving the total elimination of nuclear weapons in the world. Although Mexico does not possess nuclear weapons, it is aware of the devastating short- and long-term effects that a nuclear detonation could have on the population and the environment, not only at the regional but also at the global level. The total elimination of nuclear weapons has therefore been a key element of the country's position in multilateral contexts, in line with its foreign policy and the principles contained in the Charter of the United Nations.

Accordingly, and pursuant to the provisions of the 1996 advisory opinion of the International Court of Justice, which sets out the obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control, Mexico participates actively

and decisively in the various multilateral and regional forums that deal with the issue of nuclear disarmament.

At the seventy-first session of the General Assembly, Mexico, in its national capacity and with the support of other States, was the co-author or main sponsor of the following resolutions on disarmament issues adopted by the First Committee:

(a) Resolution 71/27: Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco);

(b) Resolution 71/46: Humanitarian consequences of nuclear weapons;

(c) Resolution 71/47: Humanitarian pledge for the prohibition and elimination of nuclear weapons;

(d) Resolution 71/50: The Arms Trade Treaty;

(e) Resolution 71/54: Towards a nuclear-weapon-free world: accelerating the implementation of nuclear disarmament commitments;

(f) Resolution 71/55: Ethical imperatives for a nuclear-weapon-free world;

(g) Resolution 71/57: United Nations study on disarmament and non-proliferation education;

(h) Resolution 71/67: Nuclear disarmament verification;

(i) Resolution 71/74: United Nations Disarmament Information Programme;

(j) Resolution 71/86: Comprehensive Nuclear-Test-Ban Treaty;

(k) Resolution 71/258: Taking forward multilateral nuclear disarmament negotiations.

Of particular note is resolution 71/258, adopted by 113 votes to 35, with 13 abstentions, in which the Assembly implemented the recommendations of the Open-ended Working Group, which met in Geneva in 2016, and decided to convene a conference to negotiate a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination.

The conference was held in New York, under the rules of procedure of the General Assembly, in two sessions. Mexico took part in the first session, which was held from 27 to 31 March 2017, with the conviction that the prohibition of nuclear weapons would be achieved after 21 years of deadlock within the United Nations disarmament machinery, during which time negotiations on the prohibition and elimination of nuclear weapons had not even begun.

For Mexico, the negotiation of a treaty on the prohibition of nuclear weapons is consistent with the obligation set out in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and would contribute to compliance with the Treaty.

Mexico believes that a legally binding instrument that prohibits nuclear weapons will not replace the Treaty on the Non-Proliferation of Nuclear Weapons, nor will the timely implementation of both instruments prejudice the regime of the other treaty. Both instruments will complement each other, thereby strengthening the nuclear non-proliferation and disarmament regime.

Mexico is pursuing three clear objectives in the negotiation of the legally binding instrument:

(a) The negotiation process should be expeditious and straightforward. Mexico will give priority to any initiative that is conducive to achieving this

objective and will avoid introducing or generating distractions from the process, which complements the nuclear non-proliferation and disarmament regime;

(b) The text of the treaty should be concise and clear, with a focus on one central aim: banning the use, acquisition, stockpiling, development, transfer, storage and deployment of atomic weapons and prohibiting States parties from participating in and assisting, or inciting participation in, any activities prohibited under the treaty;

(c) The treaty should be inclusive and open to all States. The treaty should be open to both States parties and not parties to the Treaty on the Non-Proliferation of Nuclear Weapons, nuclear-weapon States and nuclear-umbrella States.

Mexico will continue to participate in the same spirit in the second session of the conference, which will be held from 15 June to 7 July 2017, in New York.

In addition, together with Austria, the Holy See, Ireland and South Africa, Mexico has since 2012 promoted the approach known as the humanitarian initiative, which emerged as an alternative to the frustration of the non-nuclear-weapon States and of civil society at the lack of progress towards nuclear disarmament.

The humanitarian initiative prompted the convening of three Conferences on the Humanitarian Impact of Nuclear Weapons (held in Oslo in 2013 and in Nayarit, Mexico, and Vienna in 2014), at which the catastrophic consequences of accidental or intentional nuclear detonations, as well as the risks associated with the mere existence of nuclear weapons, for the environment, ecosystems, climate stability, development, global health and food security, were examined scientifically.

At the Vienna Conference on the Humanitarian Impact of Nuclear Weapons, it was agreed that steps would be taken to fill the legal gap for the stigmatization and prohibition of nuclear weapons (Austrian Pledge) with a view to their elimination, given the harm that would result from a nuclear detonation, and the international community was invited to endorse the Pledge. In this connection, at the initiative of Mexico, in January 2015 the Community of Latin American and Caribbean States became the first regional body to endorse the Austrian Pledge, which has now been endorsed by 127 countries and renamed the Humanitarian Pledge.

Paraguay

[Original: Spanish]
31 July 2017

Paraguay condemns the existence of weapons of mass destruction, including nuclear weapons, and efforts to develop and enhance them, as contrary to the core objectives of achieving peace, security, sustainable development and harmony among States. In this connection, Paraguay has reiterated its support for the adoption of a resolution on the issue.

In Paraguay, weapons of mass destruction, including nuclear weapons, are prohibited under the Constitution. Like other peace-loving nations that uphold the principles of international law, international humanitarian law and human rights, Paraguay therefore welcomes the recent adoption of the Treaty on the Prohibition of Nuclear Weapons and reaffirms its commitment to the nuclear disarmament and non-proliferation regime, which is the foundation of its foreign policy. By banning nuclear weapons, the Treaty constitutes an important step towards a world free of such weapons.

In line with the declaration issued on the fiftieth anniversary of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), Paraguay, in its capacity as a State party to the Treaty, supports the

reaffirmation that the use or threat of use of nuclear weapons is a violation of the Charter of the United Nations, a violation of international law, including international humanitarian law, and a crime against humanity. Consequently, Paraguay believes that the only truly effective guarantee against the use or threat of use of nuclear weapons is their total elimination.

It should be noted that Additional Protocol II to the Treaty of Tlatelolco includes a legally binding commitment pursuant to which nuclear-weapon States cannot use or threaten to use their nuclear weapons against any of the States parties to the Treaty. This was the first such legal commitment entered into by nuclear-weapon States.

The Conferences on the Humanitarian Impact of Nuclear Weapons (held in Oslo in 2013 and in Nayarit, Mexico, and Vienna in 2014) confirmed that nuclear weapons constitute a threat to humankind, by their mere existence and by their possible use or threat of use, as well as by the potential damage that an accidental or intentional detonation could cause to global health, food security and climate, among other fields, and by the lack of capacity of the international community to face a humanitarian catastrophe of such a magnitude.

Qatar

[Original: Arabic]
11 April 2017

Qatar believes that the threat or use of nuclear weapons is contrary to current international law on armed conflicts and, in particular, to the principles and rules of international humanitarian law.

Qatar is firmly convinced that only the total elimination of nuclear weapons can provide a guarantee against their use. It therefore stresses the importance of the opinion of the International Court of Justice, which unanimously found that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects, under strict and effective international control.

Qatar believes that it is important to accelerate implementation of the 13 practical steps contained in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and of the 22 action items contained in the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. It is therefore important to establish a committee with a mandate to deal with nuclear disarmament in order to identify the measures required to eliminate nuclear weapons completely.

Qatar is a non-nuclear-weapon State that neither possesses such weapons nor has the means to deliver them. It does not harbour any ambitions or intentions to possess or develop such weapons. It does not provide any scientific, technical or material assistance to any party endeavouring to acquire or develop such weapons. Qatar also does not allow any nuclear-weapon-related activities to take place in its territory.

Owing to its firm conviction that nuclear energy should be used for peaceful purposes and not employed for military purposes, Qatar acceded to the Treaty on the Non-Proliferation of Nuclear Weapons on 3 April 1989, and signed a safeguards agreement with the International Atomic Energy Agency on 19 January 2009. It signed the Comprehensive Nuclear-Test-Ban Treaty on 24 September 1996 and then ratified it on 3 March 1997. Qatar has applied to become a member of the Conference on Disarmament, of which it is currently an observer member.

Qatar took part in the first conference on the humanitarian consequences that would result from a nuclear weapon detonation, held in Oslo in 2013, the second such conference, held in Mexico in February 2014, and the third such conference, held in Vienna in December 2014. It did so because it believes that humanity must become aware of the dangers posed by nuclear weapons. That realization must have a tangible effect on the work that is needed in order to spare humankind from the scourge of nuclear weapons, with the ultimate goal of achieving a world free of such weapons.

Qatar has established the National Committee for the Prohibition of Weapons of Mass Destruction and the Doha Regional Centre for Training on Conventions of Weapons of Mass Destruction. The Centre provides training and awareness-raising services at the national, regional and international levels.

The National Committee for the Prohibition of Weapons of Mass Destruction holds annual awareness-raising workshops and an annual research competition for secondary-school and university students concerning the conventions on weapons of mass destruction and the threat posed by such weapons. It also organizes a competition in which students design a poster to raise awareness of the threat posed by weapons of mass destruction.

Saudi Arabia

[Original: English]
22 May 2017

The Kingdom of Saudi Arabia was one of the first countries to accede to the Treaty on the Non-Proliferation of Nuclear Weapons and to refrain from producing nuclear weapons or other nuclear explosive devices, or obtaining nuclear weapons, or permitting any third party to develop them in its territory, and the Kingdom ratified the treaty in October 1988. In reinforcement of its ratification, in 2006 the Kingdom signed a nuclear safeguards agreement in the form of a small quantities protocol to the Treaty, which had a positive impact on the Kingdom's national project on the peaceful uses of atomic energy.

The Kingdom participated actively in the 1995 Review Conference of the Treaty and in subsequent review conferences and their preparatory meetings through 2015. Moreover, the Kingdom has adopted a positive position towards efforts to reach a comprehensive agreement to prevent nuclear testing.

The Kingdom of Saudi Arabia sent delegations of both the Ministry of Interior and the Ministry of Foreign Affairs to all summit conferences related to nuclear security held between 2010 and 2016, which were attended by the seven largest manufacturing countries and most of the leaders of the world, in addition to representatives of international organizations, such as the United Nations, the International Atomic Energy Agency, the International Criminal Police Organization and the European Union. The active participation of the Kingdom of Saudi Arabia reflects its commitment to the objectives of these summits, above all nuclear disarmament, preventing access of terrorists to nuclear weapons and the peaceful use of nuclear energy.

The Kingdom of Saudi Arabia was one of the first countries to support the international resolutions pertaining to nuclear security. It has ratified many relevant treaties, most notably the Convention on Physical Protection of Nuclear Material, provided support for the Global Initiative to Combat Nuclear Terrorism and is a party to the International Convention for the Suppression of Acts of Nuclear Terrorism, and donated $100 million to the establishment of the United Nations

Centre for Counter-Terrorism within the Counter-Terrorism Implementation Task Force Office of the United Nations Secretariat.

Moreover, the Kingdom of Saudi Arabia was one of the first countries to call for making the Middle East region free from all weapons of mass destruction, in particular nuclear weapons. It contributed US $100,000 to the costs of holding a conference in Helsinki in 2012, which was scheduled to discuss the implementation mechanism of the decision to make the Middle East region free of weapons of mass destruction, especially nuclear weapons. However, the conference failed owing to the intransigence of Israel and the support of some countries.